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Valley Miwok Tribe

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF CALIFORNIA

CALIFORNIA VALLEY MIWOK TRIBE,)
)
Plaintiff,)
)
v.)
)
THE CALIFORNIA GAMBLING)
CONTROL COMMISSION; AND DOES 1)
THROUGH 50, Inclusive,)
)
Defendants.)

No. 08-CV-0120 BEN AJB

NOTICE OF DISMISSAL WITHOUT
PREJUDICE OF THIRD CAUSE OF ACTION
FOR BREACH OF CONTRACT AND
FOURTH CAUSE OF ACTION FOR BREACH
OF FIDUCIARY DUTY
[Rule 41(a)(1) of FRCP]

Date: March 10, 2008
Time: 10:30 a.m.
Courtroom: 3
Judge: Hon. Roger T. Benitez
Location: 940 Front Street
San Diego, CA 92101

TO: DEFENDANT THE CALIFORNIA GAMBLING CONTROL COMMISSION AND
TO THE CLERK OF THE U.S. DISTRICT COURT, SOUTHERN DISTRICT OF
CALIFORNIA

PLEASE TAKE NOTICE that, pursuant to Rule 41(a)(1) of the Federal Rules of Civil
Procedure, Plaintiff California Valley Miwok Tribe ("Miwok Tribe") hereby withdraws and
dismisses, without prejudice, the Third Cause of Action for Breach of Contract and the Fourth Cause
of Action for Breach of Fiduciary Duty in the Complaint.

Date: February 1, 2008

s/ Manuel Corrales, Jr., Esq.
MANUEL CORRALES, JR., Esq.
Attorney for Plaintiff California Valley
Miwok Tribe

CERTIFICATE OF SERVICE

Case Name: California Valley Miwok Tribe v. California Gambling Control Commission

Court: United States District Court, Southern District, Case No. 08-CV09129 BEN AJB

I declare:

On February 1, 2008, I electronically filed the following document(s):

1. NOTICE OF DISMISSAL WITHOUT PREJUDICE OF THIRD CAUSE OF ACTION FOR BREACH OF CONTRACT AND FOURTH CAUSE OF ACTION FOR BREACH OF FIDUCIARY DUTY [Rule 41(a)(1) of FRCP]

Electronic Mail Notice List

I have caused the above-mentioned document(s) to be electronically served on the following person(s), who are currently on the list to receive e-mail notices for this case:

Peter H. Kaufman
Peter.Kaufman@doj.ca.gov

Manual Notice List

The following are those who are not on the list to receive e-mail notices for this case (who therefore require manual noticing):

None

I declare under penalty of perjury under the laws of the State of California and the United States of America that the foregoing is true and correct and that it was executed on February 1, 2008, at San Diego, California.

s/ Manuel Corrales, Jr., Esq.